Case 3:73-cv-00127-MMD-WGC Document 821 Filed 01/19/06 Page 1 of 10

l I			
1	GORDON H. DEPAOLI Nevada State Bar 00195		
2	DALE E. FERGUSON		
3	Nevada State Bar 04986		
4	WOODBURN AND WEDGE 6100 Neil Road, Suite 500		
5	Post Office Box 2311 Reno, Nevada 89511		
6	Telephone: (775) 688-3000		
7	Attorneys for Defendant, WALKER RIVER IRRIGATION DISTRICT		
8			
9	IN THE UNITED STAT	TES DISTRICT COURT	
10	FOR THE DISTRI	CT OF NEVADA	
11	UNITED STATES OF AMERICA,	Case No. 3:73-cv-127	
12	Plaintiff,	In Equity No. C-125-ECR	
13	WALKER RIVER PAIUTE TRIBE,)	Subfile No. C-125-B	
14	Plaintiff-Intervenor,)	STIPULATION AND ORDER FOR EXTENSION OF TIME CONCERNING	
15	i idineni intervenor,	BRIEFING SCHEDULE ON MOTION	
16	v.)	TO DISQUALIFY COUNSEL, GORDON DePAOLI, AND MOTION TO CLARIFY	
17	WALKER RIVER IRRIGATION DISTRICT,) a corporation, et al.,	CASE MANAGEMENT ORDER DATED APRIL 18, 2000	
18	Defendants.	(First Request)	
19			
20			
21			
22	1. On or about December 1, 2005, Joseph and Beverly Landolt filed their Notice of		
23	Motion and Motion to Clarify Case Management Order Dated April 18, 2000 (the		
24	"Clarification Motion").		
25	2. On or about November 28, 2005	, Joseph and Beverly Landolt filed their Notice	
26	of Motion and Motion to Disqualify Counsel, G	ordon DePaoli (the "Disqualification Motion").	
27			
28			
	-	1-	

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1	3. At the December 6, 2005, status conference in this matter, the Magistrate Judge,	
2	pursuant to agreement of the parties, established a briefing schedule for the Clarification	
3	Motion and Disqualification Motion.	
4	4. Oppositions to the Clarification Motion and the Disqualification Motion are due	
5	on January 23, 2006, and Replies are due on February 13, 2006.	
6	5. A hearing is scheduled on the Disqualification Motion for Tuesday, March 7,	
7	2006, at 1:30 p.m.	
8	6. The Parties to this Stipulation require additional time in which to serve	
9	Oppositions to the Disqualification Motion and the Clarification Motion, and also desire to	
10	adjust the schedule for service of Replies in support of those motions.	
11	NOW THEREFORE, based on the foregoing and subject to the approval of the Court,	
12	the parties to this Stipulation and Order hereby agree and stipulate that:	
13	Oppositions to the Clarification Motion and the Disqualification Motion shall be	
14	served on January 30, 2006; and	
15	2. Replies in support of the Disqualification Motion and the Clarification Motion	
16	shall be served on February 20, 2006.	
17	Dated this 19th day of January, 2006.	
18		
19	Gordon DePaoli, Dale Ferguson Woodburn and Wedge John W. Howard 625 Broadway, #1206	
20	6100 Neil Rd., #500 San Diego, CA 92101 Reno, NV 89511-1149	
21	William E. Schaeffer P.O. Box 936	
22	II	
23	By: Loden Defach' Gordon DePaoli Date: San. 19, 2006	
24	Date: <u>Jan. 19, 2006</u> By:	
25	Attorneys for Walker River Irrigation By: District By: John W. Howard Date:	
26		
27	Attorneys for Joseph & Beverly Landolt	

28

Case 3:73-cv-00127-MMD-WGC Document 821 Filed 01/19/06 Page 3 of 10

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2	pursuant to agreement of the parties, established a briefing schedule for the Clarification	
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19	Gordon DePaoli, Dale Ferguson John W. Howard Woodburn and Wedge 625 Broadway, #1206	
20	6100 Neil Rd., #500 San Diego, CA 92101	
21	Reno, NV 89511-1149 William E. Schaeffer	
22	P.O. Box 936 Battle Mountain, NV 89820	
23	By: Gordon DePaoli	
24	Date:	
25	Attorneys for Walker River Irrigation By: John W. Howard	
26	District Date:	
	Attorneys for Joseph & Reservy Landolt	

Case 3 73-cv-00127-MMD-WGC Document 821 Filed 01/19/06 Page 4 of 10

1	Scott B. McElroy, Alice E. Walker	Susan Schneider
2	Greene, Meyer & McElroy, P.C. 1007 Pearl St., #220	U.S. Department of Justice Environment and Natural Resources Div.
	Boulder, CO 80302	Indian Resources Section
3		999 18th St., #945
4	Kelly R. Chase	Denver, CO 80202
_	P.O. Box 2800	
5	Minden, NV 89423	
6		By: Ansen T. Ahrens
7	Line 9 Maller	Susan Schneider
	By: WWW C · V VMWW	Date: 1-19-06
8	Scott B. McElroy Date: 1-19-00	Attorneys for the United States of America
9	Date.	Altorneys for the Onlied States of America
10	Attorneys for Walker River Paiute Tribe	
	George J. Chanos	Michael Neville
11	Nevada Attorney General	Assistant Attorney General
12	By: Marta Adams	State of California
	Senior Deputy Attorney General	455 Golden Gate Ave.
13	C. Wayne Howle	San Francisco, CA 94102
14	Senior Deputy Attorney General	
	100 N. Carson St. Carson City, NV 89701	
15	Carson City, IVV 83701	Bv.
16		By: Michael Neville
	-101-101	Date:
17	By: Marta Adams Marta Adams	(v) (C) (C) (V) (V) (V)
18	Marta Adams Date: 1 - 19 - 06	Attorneys for State of California, acting by and through the California Dept. of Water
	Date.	Resources, California Dept. of Fish and
19	Attorneys for State of Nevada	Game, and California State Water
20		Resources Control Board
	G. 1. 2.2	M 1 110 111
21	Stephen B. Rye Chief Deputy District Attorney	Marshall Rudolph Mono County Counsel
22	Chief Deputy District Attorney Lyon County	Stacey Simon
	31 S. Main St. Verington, NV, 89447	Deputy County Counsel
23	Yerington, NV 89447	P.O. Box 2415
24		Mammoth Lakes, CA 93546
25		
	By:Stephen B. Rye	
26	Stephen B. Rye	By: Marshall Rudolph / Stacey Simon
27	Date:	Marshall Rudolph / Stacey Simon Date:
28	Attorney for Lyon County	Dato.
20		Attorneys for Mono County

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Scott B. McElroy, Alice E. Walker Greene, Meyer & McElroy, P.C. 1007 Pearl St., #220 Boulder, CO 80302 Kelly R. Chase	Susan Schneider U.S. Department of Justice Environment and Natural Resources Div. Indian Resources Section 999 18th St., #945 Denver, CO 80202
P.O. Box 2800 Minden, NV 89423	
Minden, NV 65425	
	By:Susan Schneider
Bar	Date:
By:Scott B. McElroy	Date.
Date:	Attorneys for the United States of America
Attorneys for Walker River Paiute Tribe	
George J. Chanos	Michael Neville
Nevada Attorney General	Assistant Attorney General
By: Marta Adams	State of California
Senior Deputy Attorney General	455 Golden Gate Ave.
C. Wayne Howle	San Francisco, CA 94102
Senior Deputy Attorney General	·
100 N. Carson St.	
Carson City, NV 89701	Ву: (
· .	Michael Neville
_	Date:(5-0'6
By: Marta Adams	Attour our four Class of California actions has
	Attorneys for State of California, acting by and through the California Dept. of Water
Date:	Resources, California Dept. of Fish and
Attorneys for State of Nevada	Game, and California State Water
	Resources Control Board
Stephen B. Rye	Marshall Rudolph
Chief Deputy District Attorney	Mono County Counsel
Lyon County	Stacey Simon
31 S. Main St.	Deputy County Counsel
Yerington, NV 89447	P.O. Box 2415
	Mammoth Lakes, CA 93546
Drn	
By: Stephen B. Rye	By:
Date:	Marshall Rudolph / Stacey Simon
	Date;
Attorney for Lyon County	
	Attorneys for Mono County
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Case 3:73-cv-00127-MMD-WGC Document 821 Filed 01/19/06 Page 6 of 10

1	Scott B. McElroy, Alice E. Walker	Susan Schneider
2	Greene, Meyer & McElroy, P.C. 1007 Pearl St., #220	U.S. Department of Justice Environment and Natural Resources Div.
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4	Kelly R. Chase	Denver, CO 80202
_	P.O. Box 2800	
5	Minden, NV 89423	
6		By:Susan Schneider
7	_	
	By:Scott B. McElroy	Date:
8	Date:	Attorneys for the United States of America
9		
10	Attorneys for Walker River Paiute Tribe	
11	George J. Chanos	Michael Neville
11	Nevada Attorney General	Assistant Attorney General
12	By: Marta Adams Senior Deputy Attorney General	State of California
13	C. Wayne Howle	455 Golden Gate Ave. San Francisco, CA 94102
[Senior Deputy Attorney General	Sair raidisco, Cri 7 1102
14	100 N. Carson St.	
15	Carson City, NV 89701	D
16		By: Michael Neville
16		Date:
17	By: Marta Adams	
18	Marta Adams	Attorneys for State of California, acting by
	Date:	and through the California Dept. of Water Resources, California Dept. of Fish and
19	Attorneys for State of Nevada	Game, and California State Water
20		Resources Control Board
21	Stephen B. Rye	Marshall Rudolph
	Chief Deputy District Attorney	Mono County Counsel
22	Lyon County	Stacey Simon
23	31 S. Main St.	Deputy County Counsel P.O. Box 2415
24	Yerington, NV 89447	Mammoth Lakes, CA 93546
		Walling Bares, CT 755 To
25	By: Staben O Mye	
26	Stephen B. Rye	Ву:
27	Date: 1-19-06	Marshall Rudolph / Stacey Simon
28	Attorney for Lyon County	Date:
28	Ziner ney for Eyon County	Attorneys for Mono County
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1 2	Scott B. McElroy, Alice E. Walker Greene, Meyer & McElroy, P.C. 1007 Pearl St., #220	Susan Schneider U.S. Department of Justice Environment and Natural Resources Div.
3	Boulder, CO 80302	Indian Resources Section 999 18th St., #945
4	Kelly R. Chase P.O. Box 2800	Denver, CO 80202
5	Minden, NV 89423	
6		D
		By:Susan Schneider
7	Ву:	Date;
8	By:Scott B. McElroy	
9	Date:	Attorneys for the United States of America
10	Attorneys for Walker River Paiute Trihe	
11	George J. Chanos	Michael Neville
'	Nevada Attorney General	Assistant Attorney General
12	By: Marta Adams	State of California
,,	Senior Deputy Attorney General	455 Golden Gate Ave.
13	C. Wayne Howle Senior Deputy Attorney General	San Francisco, CA 94102
14	100 N. Carson St.	
, .	Carson City, NV 89701	
15		By:Michael Neville
16		
	n.	Date:
17	By: Marta Adams	Attorneys for State of California, acting by
18	Date:	and through the California Dept. of Water
	Duto.	Resources, California Dept. of Fish and
19	Attorneys for State of Nevada	Game, and California State Water
20		Resources Control Board
21	Stephen B. Rye	Marshall Rudolph
- '	Chief Deputy District Attorney	Mono County Counsel
22	Lyon County	Stacey Simon
23	31 S. Main St.	Deputy County Counsel
²	Yerington, NV 89447	P.O. Box 2415
24		Mammoth Lakes, CA 93546
25		
	Ву:	1, 1-
26	Stephen B. Ryc	By: Stacy Amon
27	Date:	Marshall Rudolph / Stacey Simon
	Attourns for Tron County	Date: 1/19/06
28	Attorney for Lyon County	Attorneys for Mono County
		Tamility's for Haring County

Case 3:73-cv-00127-MMD-WGC Document 821 Filed 01/19/06 Page 8 of 10

1 2 3	Cheri K. Emm-Smith Mineral County District Attorney P.O. Box 1210 Hawthorne, NV 89415	Laura A. Schroeder P. O. Box 12527 Portland, OR 97212-0527
4	Attorney for Mineral County	Burth Dance (Nov
5	Simeon Herskovits Western Environmental Law Center	Laura A. Schroeder Date: / - /9 - 0 G
6	P.O. Box 1507	
7	Taos, NM 87571	Attorney for Circle Bar N Ranch, et al.
8		
9	By: Simeon Herskovits	
10	Date: 1/19/26	
11	Attorneys for Mineral County and Walker	
12	Lake Working Group	
13		
14	Dated:	IT IS SO ORDERED.
15		
16		
17		UNITED STATES DISTRICT JUDGE
18		
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CERTIFICATE OF MAILING

2 3 4 5	I certify that I am an employee of Woodburn and Wedge and that on this date, I deposited in the United States Mail, postage prepaid, a true and correct copy of the foregoing Stipulation and Order for Extension of Time Concerning Briefing Schedule on Motion to Disqualify Counsel, Gordon DePaoli, and Motion to Clarify Case Management Order Dated April 18, 2000 (First Request) in an envelope addressed to:		
	Greg Addington	William W. Quinn	
6	Assistant U.S. Attorney 100 W. Liberty St., #600	Office of the Field Solicitor Department of the Interior	
7	Reno, NV 89509	401 W. Washington St., SPC 44	
8		Phoenix, AZ 85003	
9	Kenneth Spooner	Hugh Ricci, P.E.	
10	General Manager	Division of Water Resources State of Nevada	
	Walker River Irrigation District P.O. Box 820	901 S. Stewart St.	
11	Yerington, NV 89447	Carson City, NV 89701	
12	George Benesch	Alan Biaggi	
13	190 W. Huffaker	Dir. of Conservation & Natural Resources	
14	Reno, NV 89511	State of Nevada	
		901 S. Stewart St. Carson City, NV 89701	
15			
16	Garry Stone United States District Court Water Master	Alice E. Walker / Scott McElroy Greene, Meyer & McElroy	
17	290 S. Arlington Ave., 3rd Floor	1007 Pearl St., # 220	
18	Reno, NV 89501	Boulder, CO 80302	
19	John Kramer	Bill Lockyer / Michael W. Neville	
	Dept. of Water Resources	California Attorney General's Office	
20	1416 Ninth St. Sacramento, CA 95814	455 Golden Gate Ave., #11000 San Francisco, CA 94102-3664	
21		Jan 1 1 and 1500, C11 5 1 1 0 2 500 1	
22	Susan Schneider Indian Resources Section	Ross E. de Lipkau Marshall, Hill, Cassas & de Lipkau	
23	U.S. Dept. of Justice	P.O. Box 2790	
	999 18 th St.	Reno, NV 89505	
24	Suite 945, North Tower Denver, CO 80202		
25	,		
26	Mary Hackenbracht Deputy Attorney General	Marta Adams Deputy Attorney General	
27	State of California	State of Nevada	
	1515 Clay St., 20 th Floor	100 N. Carson St.	
28	Oakland, CA 94612-1413	Carson City, NV 89701	

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- 1		
1	James Shaw Water Master	David L. Negri U.S. Dept. of Justice
2	U.S. Board of Water Commissioners P.O. Box 853	Environment and Natural Resources Div. 161 E. Mallard Dr., Suite A
3	Yerington, NV 89447	Boise, ID 83706
4	Linda Bowman	Kelly Chase, Esq.
5	540 Hammill Ln. Reno, NV 89511	P.O. Box 2800 Minden, NV 89423
6		•
7	Tim Glidden U. S. Dept. of the Interior, Office of the	Wesley G. Beverlin Malissa Hathaway McKeith
8	Secretary, Div. Of Indian Affairs 1849 C St. N.W.	Lewis, Brisbois, Bisgaard & Smith LCP 221 N. Figueroa St., Suite 1200
9	Mail Stop 6456 Washington, D.C. 20240	Los Angeles, CA 90012
10		
11	Marshall S. Rudolph, Mono County Counsel Stacy Simon, Deputy County Counsel	Erin K.L. Mahaney Office of Chief Counsel
12	Mono County P. O. Box 2415	State Water Resources Control Board 1001 I St., 22 nd Floor
13	Mammoth Lakes, CA 93546-2415	Sacramento, CA 95814
14	Steve Rye	Simeon Herskovits
15	Chief Deputy District Attorney Lyon County	Western Environmental Law Center P. O. Box 1507
16	31 S. Main St. Yerington, NV 89447	Taos, NM 87571
17		William E. Collandon
18	Cheri Emm-Smith Mineral County District Attorney	William E. Schaeffer P. O. Box 936
19	P. O. Box 1210 Hawthorne, NV 89415	Battle Mountain, NV 89820
20	Laura A. Schroeder	John W. Howard
21	P. O. Box 12527	JW Howard/Attorneys
22	Portland, OR 97212-0527	625 Broadway, Suite 1206 San Diego, CA 92101
23	Dated this 19 th day of January, 2006.	
24		
25		Hon a Dalla
26		Holly C. Deulen Holly C. Dewar
27		
	1	